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Counsel for James Nelsen

FOR SOOÄÄ DITGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES NELSEN,

Defendant.

No. CR 09-01168 RMW

STIPULATION RE REVISED ORDER
18 U.S.C. 4241(d);
☐ REVISED ORDER

It is hereby stipulated between the defendant James Nelsen, by and through his attorney of record VICKI H. YOUNG, and the government, through Assistant United States Attorney Jeffrey B. Schenk, that the order of commitment pursuant to 18 U.S.C. 4241(d) filed on April 10, 2012, be withdrawn and the attached revised order be filed in its place. The reason for this substitution is that the U.S. Marshals Office advised that the wording in the filed order would complicate the designation process and proposed some new language to be added to the order.

It is so stipulated.

Dated: April 16, 2012

Respectfully submitted,

/s/ Vicki H. Young
VICKI H. YOUNG, ESQ.
Attorney for James Nelsen

STIPULATION RE REVISED ORDER;
☐ ORDER

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Dated: April 16, 2012

MELINDA HAAG
UNITED STATES ATTORNEY

/s/ Jeffrey B. Schenk
JEFFREY B. SCHENK
Assistant United States Attorney

STIPULATION RE REVISED ORDER;
☐ ORDER

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5 **IN THE UNITED STATES DISTRICT COURT**
6 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
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8 UNITED STATES OF AMERICA,) No. CR 09-01168 RMW
9)
10 Plaintiff,)
11 v.) REVISED ORDER
12 JAMES NELSEN,)
13 Defendant.)
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15 After a hearing on April 9, 2012, the Court found by a preponderance of the evidence that the
16 Defendant, James Nelsen, is presently suffering from a mental disease or defect rendering him
17 mentally incompetent to stand trial, based on the psychiatric report prepared by Dr. James Missett.

18 Pursuant to 18 U.S.C. § 4241(d), Defendant Nelsen is committed to the custody of the
19 Attorney General. The Attorney General shall hospitalize Defendant for treatment in a suitable
20 facility for such a reasonable period of time, not to exceed four months, as is necessary to determine
21 whether there is such a substantial probability that in the foreseeable future Defendant will attain the
22 capacity to permit the proceedings to go forward. The United States Marshal shall return defendant
23 Nelsen to this court for hearing on July 30, 2012, at 9:00 a.m.

24 IT IS SO ORDERED.

25 DATED: 6/15/14

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RONALD M. WHYTE
UNITED STATES DISTRICT JUDGE

REVISED ORDER